REMARKS/ARGUMENTS

This Amendment is responsive to the Office Action mailed on July 16, 2007.

Rejection under 35 U.S.C. § 112, First Paragraph

At page 2 of the Office Action, claims 1-6 and 8-21 are rejected under 35 U.S.C. § 112, first paragraph. The Examiner states there is no enablement for tracking advice issues other than securities transactions. Applicants traverse this rejection.

The claims are enabled by the specification, and need not explicitly teach every conceivable embodiment that could be covered by the claims. MPEP 2164.03 states, "[t]he amount of guidance or direction needed to enable the invention is inversely related to the amount of knowledge in the state of the art as well as the predictability in the art." This statement follows from *In re Fisher*, 427 F.2d 833, 839, 166 USPQ 18, 24 (CCPA 1970), where the court states, "[i]n cases involving predictable factors, such as mechanical or electrical elements, a single embodiment provides broad enablement in the sense that, once imagined, other embodiments can be made without difficulty and their performance characteristics predicted by resort to known scientific laws." Here, unlike the chemical arts, the electrical and computer arts are not unpredictable and even the disclosure of a single embodiment may be sufficient to enable a broad claim. Accordingly, because this case involves predictable factors, the previously presented claims were enabled by the disclosure of securities transactions.

Although Applicants believe the specification is thoroughly enabling and that all the claims are supported by the specification, to expedite prosecution, claim 1 has been amended as the Examiner suggests on page 2 of the Office Action.

Rejection under 35 U.S.C. § 112, Second Paragraph

At page 3 of the Office Action, claims 1-6 and 8-21 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner states in claim 1 that "the limitation selecting a category is confusing. Does the processor select the category?" Also, the Examiner states in claim 2 and elsewhere, "a suitability record is vague. What is it suitable to?" Next, the Examiner states that in claim 3 and elsewhere, "an assessment record is vague. What is it

assessing?" Finally, the Examiner states that in claim 14 and elsewhere, "a historical record is vague. To what history does the record refer?" Applicants traverse the rejections of the phrases "selecting a category," "suitability record," "assessment record," and "historical record."

The previously presented claims are definite. MPEP 2173.02 states that "[t]he test for definiteness under 35 U.S.C. 112, second paragraph, is whether 'those skilled in the art would understand what is claimed when the claim is read in light of the specification.'" *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1576, 1 USPQ2d 1081, 1088 (Fed. Cir. 1986). Applicants submit that one skilled in the art would comprehend the meaning of "selecting a category," "suitability record," "assessment record," and "historical record" when read in light of the specification.

The specification clearly defines "selecting a category" on page 6, line 18, to mean "a user selects" a type of customer interaction, and this term is also described in Figure 3. Thus, one skilled in the art would comprehend the meaning of this term.

Next, a "suitability record" is explained at page 10, line 19. Later, various suitability screens are shown in Figs. 10A-10D and 13, and client suitability information is collected and stored as a record. Again, one skilled in the art would comprehend the meaning of this term.

Third, one skilled in the art would also understand that an "assessment record" is a record of client assessment (see, e.g., page 7, line 26). Figure 5 and page 8, lines 3-20 further define what is included in an "assessment record." Therefore, one skilled in the art would also comprehend the meaning of this term.

Lastly, the term "historical record" pertaining to a customer interaction is a customer's interaction history (see, e.g., page 6, lines 20-29). While the Examiner's suggestion is appreciated, Applicants believe that the suggested language would be incorrect when read in light of the specification. The "historical record" is not just a field. As explained in Figure 3 and on page 6, lines 20-29, the "historical record" is created by saving all the "information necessary to document the customer interaction." This information or "historical record" is stored in database 270. Thus, one skilled in the art would comprehend the meanings of these terms when read in light of the specification as prescribed by MPEP 2173.02.

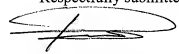
However, to expedite the prosecution, the claims (with the exception of claim 14) have been amended as suggested by the Examiner at page 3 of the Office Action. The Examiner is invited to telephone the undersigned at 415-576-0200 if the Examiner believes that a telephone conversation would be beneficial to discuss potential clarification of the pending claim language.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner has additional claim language preferences, the Examiner is requested to call the undersigned to discuss mutually acceptable language.

Respectfully submitted,



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